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PATENT, TRADEMARK, COPYRIGHT  
 AND UNFAIR COMPETITION LAW  
 AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968  
 TRUMAN A. HERRON 1935-1976  
 EDWARD B. EVANS 1936-1971

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TO: Commissioner for Patents  
 ATTN: Examiner Dameron Jones

RE: Serial No. 10/071,779

Our Ref.: MRD-75

FROM: Beverly A. Lyman, Esquire

Fax No.: 1 703 308 4556

Pages (including cover page): 3

Date: July 8, 2003

**OFFICIAL**

MESSAGE: Please file the attached Response to Oral Restriction in the above-referenced application.

Attachment  
 BAL/jaw

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**PATENT****CERTIFICATE OF FACSIMILE**

I hereby certify that this correspondence is being deposited via facsimile to The Honorable Commissioner in the United States Patent and Trademark Office, Attention: Dameron Jones whose telephone number is (703) 308-4640 and fax number is (703) 308-4556 on July 8, 2003.

  
J. A. Walker

July 8, 2003  
Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Achilefu et al.  
Serial No.: 10/071,779  
Filed: February 7, 2002  
Group Art Unit: 1619  
Confirmation No.: 4257  
Examiner: Jones, Dameron  
Title: **DYE-BIOCONJUGATES FOR SIMULTANEOUS OPTICAL  
DIAGNOSTIC AND THERAPEUTIC APPLICATIONS**  
Our Ref. No.: MRD-75

**OFFICIAL**

Cincinnati, OH 45202

July 8, 2003

Commissioner for Patents  
Washington, DC 20231

ATTN: Dameron Jones

Sir:

**RESPONSE TO ORAL RESTRICTION**

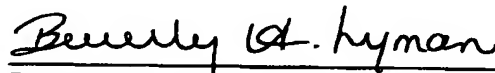
In the above-referenced application, applicants elect with traverse the group of a method of diagnostic imaging, and the following species wherein  $W_1$  and  $W_2$  are  $-CR^{10}R^{11}$ ;  $Y_1$ ,  $Y_2$ ,  $Z_1$ , and  $Z_2$  are  $-(CH_2)_a-CONH-Bm$ ;  $X_1$  and  $X_2$  are nitrogen;  $K_1$  and  $K_2$  are  $-CH_2$ ;  $R_{19}$  to  $R_{31}$  are hydrogen;  $R_{10}$  and  $R_{11}$  are  $-C(CH_3)_2$ ;  $A_1$  is a single bond; and  $A_1$ ,  $B_1$ ,  $C_1$ , and  $D_1$ , form a six membered carbocyclic ring.

Applicants know of no fee due with this submission. However, if any fees are necessary, the Commissioner may consider this to be a request for such and charge any necessary fees to Deposit Account 23-3000.

The Examiner is invited to contact applicants' undersigned representative with any questions.

Respectfully submitted,

WOOD, HERRON & EVANS. L.L.P.



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